

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NOT FOR PRINT OR
ELECTRONIC PUBLICATION

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BARBARA ZINNAMON,

Plaintiff,

08-CV-1398 (ARR)

-against-

MEMORANDUM
AND ORDER

BRIDGE SECURITY SERVICES, INC.,

Defendant.
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ROSS, United States District Judge:

On March 27, 2008, plaintiff Barbara Zinnamon, appearing *pro se*, filed this action against defendant Bridge Security Services, Inc., alleging employment discrimination. By Opinion and Order dated November 10, 2008, the court granted defendant's motion to dismiss the case pursuant to Fed. R. Civ. P. 12(b)(6) and dismissed plaintiff's employment discrimination claims with prejudice. On November 14, 2008, the Clerk of Court entered judgment. Plaintiff did not file a notice of appeal. Plaintiff now files an "Amended Complaint" dated January 23, 2009. Included with the "Amended Complaint" are papers which appear to be intended for the United States Court of Appeals.

It is unclear why plaintiff would seek to file an "Amended Complaint" in a case that is now closed. To the extent plaintiff seeks reconsideration of this court's order dismissing the case, no basis for seeking such relief is presented pursuant to Fed. R. Civ. P. 60(b), therefore, such relief is denied. To the extent plaintiff seeks to file a late notice of appeal, this court has no jurisdiction to extend the time to file a notice of appeal under Fed. R. App. P. 4(a)(5). See Cohen v. Empire Blue Cross and Blue Shield, 142 F.3d 116, 118 (2d Cir. 1998) (per curiam) ("The district court, however, lacks jurisdiction to grant any extension motion that is not filed with Rule 4(a)(5)'s 30-day grace period") (citation and internal quotation omitted).

Conclusion

As this case is closed, no action shall be taken on this submission entitled "Amended Complaint." No response to this submission is required of defendant. The court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

/S/

Allyne R. Ross
United States District Judge

Dated: February 5, 2009
Brooklyn, New York

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